IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1109 OF 2006

Mr.J.K.Davasia & Ors. .. Applicants.
Vs.
State of Maharashtra & Ors. .. Respondents.

Mr.Shirish Gupte, senior counsel for the applicants.
Mr.S.R.Shinde A.P.P. for the State.

CORAM : D.B.BHOSALE, J.

DATED : 13TH JUNE, 2006

P.C.:

. Heard learned counsel for the parties.

2. In view of the judgment of this court in **V.K.Jain and Others Vs. Pratap V.Padode and Anr. 2005 (3) Mh.L.J.778** Mr.Gupte, learned senior counsel for the applicants prays for withdrawal of this application with liberty to the applicants to the approach the Sessions Court in revision against the order impugned in the present application. The application is allowed to be withdrawn with liberty as prayed for. The learned Sessions Judge shall deal with the revision on merits in accordance with law and without entering into the issue of limitation. It is also open for the petitioner to apply for exemption in view of the judgment of this court in **Bhaskar Sen Vs.**

State of Maharashtra and Others 2005 All Maharashtra Law Reporter (Criminal) 634. If such application is filed the learned Magistrate shall pass appropriate orders keeping in view the aforesaid judgment. The application is, accordingly, disposed of.

(D.B.Bhosale, J.)